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**TITLE 327 WATER POLLUTION CONTROL DIVISION**

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**NOTICE OF READOPTION**  
**IC 13-14-9.5 FIRST NOTICE OF COMMENT PERIOD**  
LSA Document #13-176

**READOPTED OF RULES IN TITLE 327 UNDER IC 13-14-9.5****PURPOSE OF NOTICE**

The Indiana Department of Environmental Management (IDEM) is soliciting public comment on the readoption of rules in Title 327 of the Indiana Administrative Code under IC 13-14-9.5.

**RULES TO BE READOPTED:**

<a href="#">327 IAC 1</a>	GENERAL PROVISIONS
<a href="#">327 IAC 2-2</a>	Cyanides and Cyanogen Compounds; Drainage into Sewer Systems or Watercourses Prohibited; Exception
<a href="#">327 IAC 2-3</a>	Coal Mines; Restrictions on Acid Drainage and Refuse Deposits into State Waters
<a href="#">327 IAC 2-4</a>	Waste Treatment Control Facilities; Discharge into State Waters; Monthly Reports
<a href="#">327 IAC 2-5</a>	Phosphates; Permits for Use by Manufacturers and Processors; Detergents
<a href="#">327 IAC 2-6.1</a>	Spills; Reporting, Containment, and Response
<a href="#">327 IAC 2-10</a>	Secondary Containment of Aboveground Storage Tanks Containing Hazardous Materials
<a href="#">327 IAC 3-1</a>	General Provisions
<a href="#">327 IAC 3-2.1</a>	Permitting Authority of Units for Sanitary Sewer Construction
<a href="#">327 IAC 3-3</a>	Approval of Completed Construction
<a href="#">327 IAC 3-4</a>	Operational Permits; Facilities not Covered by Other Permit Programs
<a href="#">327 IAC 3-5</a>	Miscellaneous Administrative Provisions
<a href="#">327 IAC 4</a>	WASTEWATER TREATMENT FACILITIES; OVERLOAD CONDITION
<a href="#">327 IAC 5-1</a>	NPDES and Pretreatment Programs; General Provisions
<a href="#">327 IAC 5-1.5</a>	Definitions
<a href="#">327 IAC 5-3</a>	Procedures for the Issuance of NPDES Permits
<a href="#">327 IAC 5-5</a>	NPDES Criteria and Standards for Technology-Based Treatment Requirements
<a href="#">327 IAC 5-6</a>	Criteria and Standards for Determining Fundamentally Different Factors
<a href="#">327 IAC 5-7</a>	Alternative Thermal Effluent Limitations; Determination
<a href="#">327 IAC 5-9</a>	Best Management Practices; Establishment
<a href="#">327 IAC 5-10</a>	Additional Treatment Requirements
<a href="#">327 IAC 6.1</a>	LAND APPLICATION OF BIOSOLID, INDUSTRIAL WASTE PRODUCT, AND POLLUTANT-BEARING WATER
<a href="#">327 IAC 8-3</a>	Public Water Supply Construction Permits
<a href="#">327 IAC 8-3.2</a>	Technical Standards for Water Mains
<a href="#">327 IAC 8-3.3</a>	Public Water System Quantity Requirement Standards
<a href="#">327 IAC 8-3.4</a>	Public Water System Wells
<a href="#">327 IAC 8-3.5</a>	General Construction Permit for Water Mains
<a href="#">327 IAC 8-3.6</a>	Demonstration of New Public Water Supply System Capacity
<a href="#">327 IAC 8-4.1</a>	Wellhead Protection
<a href="#">327 IAC 8-5</a>	Construction of Public Water Supply Systems Under Order of the DEM
<a href="#">327 IAC 8-10</a>	Cross Connections; Control; Operation
<a href="#">327 IAC 15-1</a>	General Provisions
<a href="#">327 IAC 15-3</a>	NOI Letter Requirements
<a href="#">327 IAC 15-5</a>	Storm Water Run-Off Associated with Construction Activity
<a href="#">327 IAC 15-6</a>	Storm Water Discharges Exposed to Industrial Activity
<a href="#">327 IAC 15-7</a>	Facilities Engaged in Mining of Coal, Coal Processing, and Reclamation Activities
<a href="#">327 IAC 15-8</a>	Facilities Discharging Noncontact Cooling Water
<a href="#">327 IAC 15-9</a>	Wastewater Discharge Associated with Petroleum Products Terminals
<a href="#">327 IAC 15-10</a>	Wastewater Discharge Associated with Ground Water Petroleum Remediation Systems
<a href="#">327 IAC 15-11</a>	Wastewater Discharge Associated with Hydrostatic Testing of Commercial Pipelines
<a href="#">327 IAC 15-12</a>	Facilities Engaged in Sand, Gravel, Dimension Stone, or Crushed Stone Operations
<a href="#">327 IAC 18</a>	VOLUNTARY PERFORMANCE BASED LEADERSHIP PROGRAMS

**RULES TO EXPIRE:** None.

**AUTHORITY:** [IC 13-14-9.5](#).

### **SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING**

This rulemaking is required under [IC 13-14-9.5](#), which provides for the expiration and readoption of administrative rules. All rules adopted after January 1, 2002, under [IC 13-14-9](#), expire on January 1 of the seventh year after the year in which each rule takes effect. The rules listed to be readopted have an expiration date of January 1, 2014. IDEM has chosen to readopt all affected rules at one time rather than readopt each rule separately as its expiration date approaches.

Under [IC 13-14-9.5-4](#), the department or board that has rulemaking authority under Title 13 may readopt all rules subject to expiration under one rule that lists all rules that are readopted by their titles and subtitles only. If no comments are received during this first comment period, IDEM may submit the rule for filing with the Publisher under [IC 4-22-2-35](#) and publish notice in the Indiana Register that the agency has readopted the rule.

### **STATUTORY AND REGULATORY REQUIREMENTS**

[IC 13-14-9.5-4](#) requires that the following procedure be followed to readopt rules:

- (1) A notice listing all rules to be readopted by their titles and subtitles shall be submitted to the Publisher for publication in the Indiana Register.
- (2) If a person submits a written request and a basis for the request during the first comment period that a particular rule be readopted separately from the readoption rule that readopts all rules in one rulemaking, the agency must:
  - (A) readopt that rule separately from the readoption rule; and
  - (B) follow the procedure for adoption of administrative rules under [IC 13-14-9](#) with respect to that rule.
- (3) If no written request is provided within the first comment period, the agency may submit the rule for filing with the Publisher under [IC 4-22-2-35](#) and publish notice in the Indiana Register that the agency has readopted the rule.

### **REQUEST FOR PUBLIC COMMENTS**

IDEM requests that any written comments requesting that a rule be readopted separately from this readoption rule include a basis for the request. Comments may be submitted in one of the following ways:

- (1) By mail or common carrier to the following address:  
LSA Document #13-176 2013 Title 327 Rule Readoption  
MaryAnn Stevens  
Rule Development Branch  
Office of Legal Counsel  
Indiana Department of Environmental Management  
100 North Senate Avenue  
MC 65-41  
Indianapolis, IN 46204
- (2) By facsimile to (317) 233-5970. Please confirm the timely receipt of your faxed comments by calling the Rule Development Branch at (317) 233-8903.
- (3) By electronic mail to [mstevens@idem.in.gov](mailto:mstevens@idem.in.gov). To confirm timely delivery of submitted comments, please request a document receipt when you send the electronic mail. **PLEASE NOTE: Electronic mail comments will NOT be considered part of the official written comment period unless they are sent to the address indicated in this notice.**
- (4) Hand delivered to the receptionist on duty at the thirteenth floor reception desk, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Indianapolis, Indiana.

Regardless of the delivery method used, in order to properly identify each comment with the rulemaking action it is intended to address, each comment document must clearly specify the LSA document number of the rulemaking.

### **COMMENT PERIOD DEADLINE**

Comments must be postmarked, faxed, or time stamped not later than June 21, 2013. Hand-delivered comments must be delivered to the office by 4:45 p.m. on the above-listed deadline date.

Additional information regarding this action may be obtained from MaryAnn Stevens, Rule Development Branch, Office of Legal Counsel, (317) 232-8635 or (800) 451-6027 (in Indiana).

Nancy King, Chief  
Rule Development Branch

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